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Date: Thu, 21 Feb 2008 15:51:52 -0800 (PST)
From: "Mark Barrett" <barrettlaw@sbcglobal.net>
Subject: evidence, scheduling in Christian case
To: "Peter Hanano" <peter.hanano@co.maui.hi.us>, "Mark Barrett" <barrettlaw@sbcglobal.net>

Peter:

I am requesting the originals of the Gas Express tapes be sent to Jack Mitchell for viewing, copying, and potential enhancement. The copies he's received so far are of very poor quality.

I am also seeking more information about the swabs which were part of the evidence which Keith Shigetomi viewed recently. I am assuming we will want those sent to Brian Wraxall (along with the knife sheath and the Seidel shorts if those have been located) for testing. However, I'd like to get some information on where the swabs came from before we finalize those arrangements.

The Gas Express tapes in question are first, one from the bank ATM dated 7-13-95 - 7-14-95 and second, one from the camera operated by Gas Express itself dated 7-13-95- 7-14-95. The latter tape was identified by a store clerk as having been preserved on Tape 11.

Reports in the case also indicate that a number of audiotapes were made of additional witness interviews. I request any of these audiotapes that can be located. Apparently audiotapes were made of interviews with some of the central witnesses including Serena Seidel, Tesha Santana, and Phil Schmidt. I request these interviews and any other tapes of witness interviews.

I am also planning on asking that the discovery deadline be pushed back to coincide with the expert report deadline of March 27, 2003 and that the motion for evidentiary hearing also be due on March 27, 2003. Among other things, Mr. Wraxall, appears to have overestimated how fast he could get all his work done after recovery from his cancer. In addition to us wanting some more items for him to test, the last I knew he had not finished testing the items which were sent previously (although he has tested most of them).

I can't see any reason why making the three deadlines all on March 27 would result in any ultimate slowing of the proceedings.

Looking forward to hearing back from you.

Mark